

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:12-CV-94

HAROLD L. PLESS, SR.

Pro Se Plaintiff,

DET. GARY P. WATKINS,
DET. JENNIFER HYATT, ET. AL.
and TEN UNKNOWN

Defendants.

**DEFENDANTS WATKINS'
AND HYATT'S
PRETRIAL DISCLOSURES**

Pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure, Defendants Watkins and Hyatt hereby submit the following pretrial disclosures:

(A)(i) WITNESSES

WITNESSES DEFENDANTS EXPECT TO PRESENT

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
Gary Watkins	<i>Counsel for Defendants</i> Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230	<i>Counsel for Defendants</i> (704) 332-8300
Jennifer Hyatt	<i>Counsel for Defendants</i> Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230	<i>Counsel for Defendants</i> (704) 332-8300
Investigator Jeffrey Harrison (Kannapolis Police Department)	<i>Counsel for Defendants</i> Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230	<i>Counsel for Defendants</i> (704) 332-8300
Sergeant Justin Smith (Kannapolis Police Department)	<i>Counsel for Defendants</i> Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230	<i>Counsel for Defendants</i> (704) 332-8300

Investigator Todd Decker (Kannapolis Police Department)	<i>Counsel for Defendants Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230</i>	<i>Counsel for Defendants (704) 332-8300</i>
Captain Patrick Patty (Kannapolis Police Department)	<i>Counsel for Defendants Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230</i>	<i>Counsel for Defendants (704) 332-8300</i>
Lieutenant Terry Spry (Kannapolis Police Department)	<i>Counsel for Defendants Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230</i>	<i>Counsel for Defendants (704) 332-8300</i>
Sergeant Justin Smith (Kannapolis Police Department)	<i>Counsel for Defendants Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230</i>	<i>Counsel for Defendants (704) 332-8300</i>
Sergeant Joseph Yurco (Kannapolis Police Department)	<i>Counsel for Defendants Cranfill Sumner & Hartzog LLP P.O. Box 30787 Charlotte, NC 28230</i>	<i>Counsel for Defendants (704) 332-8300</i>
Lieutenant Carl Gadd	<i>Cabarrus County Sheriff's Department P.O. Box 525 Concord, NC 28026</i>	<i>(704) 920-3000</i>
Ashlie Shanley	<i>Cabarrus County District Attorney's Office P.O. Box 70 Concord, NC 28026</i>	<i>(704) 262-5510</i>
Lori Clark, RN-FNE	<i>CMC-Northeast 920 Church Street North Concord, NC 28025</i>	<i>(704) 262-4742</i>
Darlene Cannon	<i>1468 Matthew Allen Circle Kannapolis, NC 28081 or</i>	<i>(704) 449-8956</i>

	948 Lynnvview Court Kannapolis, NC 28081 (address on 4/15/2011)	
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In addition to these specifically identified witnesses, Defendants also reserve the right to call any and all witnesses listed by the Plaintiff. Further, Defendants may also call any witnesses and record custodians necessary to authenticate any documents noted herein.

**ADDITIONAL WITNESSES WHO MAY BE CALLED IF THE
NEED ARISES**

There are no additional witnesses that Defendants may be called. All witnesses listed above are ones Defendants expect to present.

(A)(ii) DEPOSITION TESTIMONY

None. However, Defendants will use deposition transcripts and depositions as needed for cross-examination of Plaintiff's witnesses and hostile witnesses.

(A)(iii) EXHIBITS

EXHIBITS DEFENDANTS EXPECT TO OFFER

	<u>Date</u>	<u>Document Description</u>
1.	10/4/12	Judgment and Commitment Active Punishment- Misdemeanor for Sexual Battery 11-CRS-51944
2.	10/4/12	Judicial Findings and Order For Sex Offenders – Active Punishment 11-CRS-51944
3.	4/15/11	Incident/Investigation Report for Sex Offense
4.	4/15/11	Warrant for Arrest of Plaintiff Harold Lee Pless Sr.
5.	4/15/11	Kannapolis Police Department Adult Rights Form
6.	4/15/11	Kannapolis Police Department Consent for Identification Procedures Form

7.	4/15/11	Arrest Report for Plaintiff Harold Lee Pless, Sr.
8.	Date report began: 5/19/11	Kannapolis Police Department Supplemental Case Report for Investigation of Plaintiff Harold Lee Pless, Sr.
9.	Date first reported: 4/15/11	Kannapolis Police Department Reporting Officer Narrative of J.T. Harrison

EXHIBITS DEFENDANTS MAY OFFER IF THE NEED ARISES

	<u>Date</u>	<u>Document Description</u>
1.	12/11	Video of Plaintiff's Jail Visitation with Victim, Jatana Spencer
2.	12/11	Correspondence between Kannapolis Police Department officers regarding investigation of Plaintiff Harold Lee Pless, Sr.

In addition to the specifically enumerated exhibits, Defendants identify the following as exhibits which may be offered as exhibits at trial:

- All documents filed by Plaintiff.
- All exhibits listed by Plaintiff.
- All documents listed in Plaintiff's Pretrial Disclosures or used by Plaintiff at trial.
- All pleadings in this action.
- Plaintiffs' Discovery Responses
- Defendants' Discovery Responses

Defendants will supplement this disclosure prior to trial should the identity of any further witnesses or exhibits that are required to be disclosed pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure become known to Defendants.

This the 31st day of May, 2013.

CRANFILL SUMNER & HARTZOG LLP

BY: /s/ Kelly Beth Smith
PATRICK H. FLANAGAN, State Bar No. 17407
KELLY BETH SMITH, State Bar No. 43221
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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the attached **DEFENDANTS' PRETRIAL DISCLOSURES** on all of the parties to this cause by electronically filing the foregoing with the Clerk of Court using the CM/ECF system and depositing a copy of such filing in the United States Mail, first-class postage prepaid addressed as follows:

Mr. Harold Pless
3218 Cedarhurst Drive
Charlotte, NC 28269

This the 31st day of May, 2013.

CRANFILL SUMNER & HARTZOG LLP

BY: /s/ Kelly Beth Smith
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KELLY BETH SMITH, State Bar No. 43221
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